

APPROVED MINUTES

**Village of Gilberts
87 Galligan Road
Gilberts, Illinois 60136
Village Board
Meeting Minutes
August 4, 2015**

Call to Order/ Pledge of Allegiance

President Zirk called the meeting to order at 7:00 p.m. He proceeded to lead those present in the Pledge of Allegiance.

Roll call/Establish Quorum

Village Clerk Meadows called the roll. Roll call: Members present: Trustee Kojzarek, Corbett, Zambetti, Farrell, Hacker and President Zirk. Others present: Administrator Keller, Attorney Tappendorf, Assistant Administrator Beith. For members of the audience please see the attached copy of the sign-in sheet.

Public Comment

President Zirk inquired if anyone in the audience wished to address the Board Members at this time. There were no comments offered by anyone in the audience.

Consent Agenda

- A. A Motion to approve the Minutes from the July 21, 2015 Village Board Meeting**
- B. A Motion to approve the Bills & Salaries dated August 4, 2015 as follows: General Fund \$269,700.75, Performance Bonds and Escrows \$3,861.45, Water Fund \$50,846.95 and Payroll \$84,040.64**
- C. A Motion to approve Proclamation 03-2015, a Proclamation proclaiming the first full week of September as National Payroll Week**

President Zirk asked if any of the Board Members wished to remove any items from the consent agenda for separate consideration. There were no comments offered by any of the Board Members. President Zirk stated that he would entertain a motion to approve the consent agenda items A-C as presented. **A Motion was made by Trustee Zambetti and seconded by Trustee Farrell to approve the consent agenda items A-C as presented.** Roll call: Vote: 5-ayes: Trustee Kojzarek, Corbett, Zambetti, Farrell and Hacker. 0-nays, 0-abstained. Motion carried.

Items for Approval

There were no items listed under the title "Items for Approval".

Items for Discussion

There were no items listed under the title "Items for Discussion".

Staff Reports

Administrator Keller provided the Board Members with an update on Mr. Copenhaver's site restoration progress. Administrator Keller reported that Mr. Copenhaver has completed all the soil mitigation work and has just about completed the surface grading work. The only outstanding issue is the replenishment of his escrow account. However, this matter can be addressed through the court system if needed. The main focus at this time was to have the site restored to the original soil conditions. The Board Members agreed with the Staff's approach.

Trustee Hacker expressed concerns with the grass and weeds at the Southwest corner of the intersection located at Route 72 and Tyrrell Road. Administrator Keller reported that Staff is aware of the over growth and has contacted the property owner and the site developer.

Trustee Farrell inquired on the status of the proposed gas station petition. Administrator Keller noted that Staff is waiting on the final plans. He anticipates that the Plan Commission will be considering this matter sometime in September.

Attorney Tappendorf reported that she was asked by President Zirk to attend tonight's meeting to discuss video gaming and gas station liquor license options. She noted that in May of this year she had provided the Board Members with various liquor license options to permit a gas station to apply for a license that would allow for consumption on the premises in order to meet the "licensed establishment" definition under the Video Gaming Act.

Attorney Tappendorf commented on the fact that in May the Board Members concurred that the most restrictive license currently in the Village Code was issuing Mobile Mart a class "D1" license. The issuance of a Class D1 license allows for consumption of package liquor, as well as tasting of wine, beer or spirits on the premises. Although this license does not allow for the sale of liquor for consumption of liquor on the premises, the definition of a "licensed establishment" does not state that the establishment must sell liquor- just that the liquor be "drawn, poured, mixed, or otherwise served for consumption on the premises. Based on the Act, a Class D1 license which involves the pouring of liquor samples would appear to qualify a gas station as a "licensed establishment" under the Act.

Attorney Tappendorf reported that she had been contacted by Mr. Hill's (owner of the Mobile Mart) attorney at which time Mr. Hill's attorney informed her that the Gaming Board rejected Mr. Hill's application citing that the liquor license class did not meet the criteria of a "licensed establishment".

President Zirk commented on the fact that appears the new Governor's Video Gaming Board interpretation of the Gaming Act is much more restrictive than previous Video Gaming Boards. A lengthy discussion ensued on the various liquor license options in which Mr. Hill might qualify for a video gaming license.

Attorney Tappendorf commented on the options previously discussed in May. She noted that option 1 allowed for the issuance of a Class A liquor license that entitles a gas station to sell liquor for consumption on the premises, as well as package liquor. However, this class has no restrictions on the consumption of liquor on the premises.

Attorney Tappendorf continued to discuss the other available options. The Board Members may want to consider adding an additional Class B license which permits the sale of beer and wine only on the premises similar to the store front video gaming establishments. Or create a new liquor license that restricts consumption on premise to a limited amount of drinks.

Attorney Tappendorf noted that when the Board is deliberating on the appropriate conditions of a gas station liquor license the Board should also take under review the Video Gaming Act's limits on the operational hours of the gaming terminals which must coincide with the operational hours of the local liquor license.

President Zirk recommended Attorney Tappendorf contact the Video Gaming Board's legal staff and explain the Village's objective. He noted that the Village does not want to prohibit the current or future gas station owners from offering video gaming. However, the Board desires to have a very restrictive liquor license for gas stations. The Board Members concurred with President Zirk's recommendation. Attorney Tappendorf will contact the Illinois Video Gaming's legal staff and report back. In addition, Attorney Tappendorf will draft additional liquor license class options for Board consideration.

Board of Trustee Reports

The Board Members offered no reports.

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President's Report

President Zirk recognized Village Clerk Meadows for her 11 years of service. Clerk Meadows thanked the Board Members for the recognition and hopes to serve the community for many more years.

Adjournment

There being no further public business to discuss, **a Motion was made by Trustee Hacker and seconded by Trustee Zambetti to adjourn from the public meeting at 7:22 p.m.** Roll call: Vote: 5-ayes by unanimous voice vote. 0-nays, 0-abstained. Motion carried.

Respectfully submitted,

Debra Meadows

Village of Gilberts

87 Galligan Road

Gilberts, Illinois 60136

Village Board Meeting

August 4, 2015

7:00 p.m.

Sign-in-Sheet

Name

Contact Information (Optional)

Tom Wajda



JIM HUN